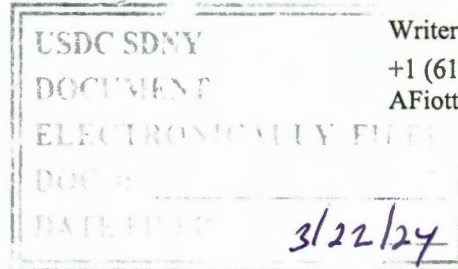


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WASHINGTON, D.C.**MEMO ENDORSED**

March 22, 2024

Writer's Direct Contact
+1 (617) 648-4774
AFiotto@mofo.comVia ECFThe Honorable Louis L. Stanton
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-0123Re: *Mullen Automotive, Inc., et al. v. IMC Financial Markets, et al.*
No. 1:23-cv-10637-LLS (S.D.N.Y.)*Granted and So
Ordered.
Louis L. Stanton
3/22/24*

Dear Judge Stanton:

I represent Clear Street Markets LLC ("CSM") and Clear Street LLC ("CS"), two of the four named Defendants. I write on behalf of Defendants CSM, CS, IMC Financial Markets ("IMC"), and UBS Securities, LLC ("UBS") pursuant to the Court's Individual Practices to request an extension of all Defendants' deadlines to answer, move, or otherwise respond to the Amended Complaint. This is Defendants' first request for an adjournment or extension of this deadline.¹

Plaintiffs filed their Amended Complaint on March 18, 2024, adding two new Plaintiffs, Hyon Cha and Shayan Khorrami, and one new defendant, CS, and adding new allegations and exhibits. Pursuant to Federal Rule of Civil Procedure 15(a)(3), Defendants CSM, IMC, and UBS's deadline to answer, move, or otherwise respond to the Amended Complaint is April 1, 2024. Defendant CS agreed to accept service of the Amended Complaint on March 19, 2024, and pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Defendant CS's deadline to answer, move, or otherwise respond to the Amended Complaint is April 9, 2024. In the interest of efficiency and judicial economy, CSM, CS, IMC, and UBS request an entry of the below proposed unified briefing schedule for responding to the Amended Complaint, pursuant to Rule 1.E. of the Court's Individual Practices:

1. Defendants shall answer, move to dismiss, or otherwise respond to the Amended Complaint on or before May 1, 2024;

¹ The Court previously granted Defendants' request for an extension of their deadline to respond to Plaintiff Mullen Automotive, Inc.'s original Complaint. (See ECF No. 18.)

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The Honorable Louis L. Stanton
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2. If Defendants file a single joint motion to dismiss, Plaintiffs shall file their opposition to Defendants' motion to dismiss within 45 days of Defendants' motion to dismiss (*i.e.*, by no later than June 17, 2024);
3. If Defendants file separate motions to dismiss, Plaintiffs shall file their oppositions to Defendants' motions to dismiss within 60 days of Defendants' motions to dismiss (*i.e.*, by no later than July 1, 2024); and
4. Defendants shall file their replies within 21 days of Plaintiffs' opposition.

Counsel for Plaintiffs has consented to this request. In making this request, CSM, CS, IMC, and UBS do not intend to waive any defenses available to them in this case, all of which are hereby preserved.

We thank the Court for considering this request.

Respectfully submitted,

/s/ Anthony S. Fiotto

Anthony S. Fiotto